



by Ansel Adams in *This is the American Earth*

SIERRA CLUB LEGAL DEFENSE FUND, INC.

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MEMORANDUM

TO: Michael McCloskey
FROM: John D. Hoffman *JDH*
RE: Mineral King
DATE: July 1, 1977

It looks like the legal end of this matter has finally concluded in a manner satisfactory to us. I enclose copies of letters from Paul Locke, the U.S. Attorney; Russell Mays of the Forest Service; and Ralph Mihan of the Interior Department Solicitor's office. The net result of the recent developments is that:

(1) The case has been dismissed without prejudice to our filing of a new action if circumstances warrant.

(2) The Forest Service and Park Service have agreed to give the Club, care of the Legal Defense Fund, at least thirty days' notice prior to issuance of any permits for the project, except permits for surveys and similar activity that would not disturb the physical environment. Beyond this, the Forest Service has agreed to notify the Club promptly of any decision to proceed with implementation of the Mineral King project.

(3) The Justice Department has agreed that the discovery, including the depositions taken in the prior Mineral King action, can be used in any action that may subsequently be filed. Although much of the material might be dated by then, this might still save us a little time and money.

I am sending copies of this memorandum to Joe Fontaine and to Jean Koch, the head of the Mineral King Task Force. I will rely on them to get the word around generally as to the winding up (for the time being, at least) of the lawsuit.

I had earlier intended to send out a press release on the final result of the case after we had received all these letters back from the government. At this point, however, this seems a bit superfluous to me and I doubt we could generate any significant interest or publicity in it. If anyone has a different view, they should let me know.

cc: Joe Fontaine
Jean Koch